

Express Mail Label No.: EL659647269US  
 Date of Deposit: October 17, 2001

Attorney Docket No. 19383-014

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

**NUCLEIC ACID AMPLIFICATION CONTROLS**

the specification of which:

- was filed on \_\_\_\_\_ as United States non-provisional application U.S.S.N. \_\_\_\_\_, bearing Attorney Docket No. \_\_\_\_\_.
- is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

| Appln.<br>Number | Country<br>(If PCT, so indicate) | Filing Date<br>(dd/mm/yy) | Priority Claimed         |                          |
|------------------|----------------------------------|---------------------------|--------------------------|--------------------------|
|                  |                                  |                           | Yes                      | No                       |
|                  |                                  |                           | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |                                  |                           | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |                                  |                           | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |                                  |                           | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |                                  |                           | <input type="checkbox"/> | <input type="checkbox"/> |
|                  |                                  |                           | <input type="checkbox"/> | <input type="checkbox"/> |



I hereby claim the benefit under Title 35, United States Code, § 119(c) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| Application No.<br>(U.S.S.N.) | Filing Date<br>(dd/mm/yy) | Status<br>(Patented, Pending, Abandoned) |
|-------------------------------|---------------------------|--|
| 60/241,038                    | October 17, 2000          | Pending                                  |
|                               |                           |  |
|                               |                           |  |

PCT International Applications designating the United States:

| PCT International Application No. | PCT Filing Date | Status |
|-----------------------------------|-----------------|--------|
|                                   |                 |        |

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| Attorney or Agent    | Registration No. | Attorney or Agent       | Registration No. |
|----------------------|------------------|-------------------------|------------------|
| Kevin Ainsworth      | 39,586           | David E. Johnson        | 41,874           |
| Ingrid Beattie       | 42,306           | Christina Karnakis      | 45,899           |
| William Belanger     | 40,509           | Kristin E. Konzak       | 44,848           |
| Charles E. Bell      | 48,128           | Cynthia Kozakiewicz     | 42,764           |
| Naomi Biswas         | 38,384           | Barry Marchenberg       | 40,715           |
| Bradford C. Blaise   | 47,429           | A. Jason Mirabito       | 28,161           |
| Sean M. Coughlin     | 48,593           | Michel Morency          | Limited          |
|                      |                  |                         | Recognition      |
| David F. Crosby      | 36,400           | Carol H. Peters         | 45,010           |
| Christopher J. Cuneo | 42,450           | David Poirier           | 43,007           |
| Brian C. Dauphin     | 40,983           | Michael Renaud          | 44,299           |
| Brett N. Domy        | 35,860           | Brian Rosenblum         | 41,276           |
| Marianne Downing     | 42,870           | Robert J. Sayre         | 42,124           |
| Ivor R. Elifiti      | 39,529           | C. Eric Schulman        | 43,350           |
| Heidi A. Erdacher    | 45,409           | Gregory J. Siczekiewicz | 48,223           |
| James G. Gatto       | 32,694           | Thomas M. Sullivan      | 39,392           |
| Richard Gervase      | 46,725           | Janine Susan            | 46,119           |
| Matthew J. Golden    | 35,161           | Nicholas P. Triano III  | 36,397           |
| John A. Harre        | 37,345           | Howard Susser           | 33,556           |
| Brian P. Hopkins     | 42,669           | Raphael A. Valencia     | 43,216           |
| Shane Hunter         | 41,858           |                         |                  |

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Matthew J. Golden at telephone number 212-692-6818.

Address all correspondence to:

Matthew J. Golden  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
One Financial Center  
Boston, Massachusetts 02111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Gregory R. Chiklis  
Inventor's Signature

Full Name of Inventor: Gregory R. Chiklis

Citizenship: US

Residence: Franklin, Massachusetts, U.S.A.

Post Office Address: 62 Charles Charles River Drive, Franklin, Massachusetts 02038

Oct 17, 2001  
Date

J.C. Hengst  
Inventor's Signature

Full Name of Inventor: James C.D. Hengst

Citizenship: US

Residence: Getzville, New York, U.S.A.

Post Office Address: 231 Cimarron Court, Getzville, New York 14068

10/17/01  
Date